Notice of Allowability	Application No.	Applicant(s)
	09/666,398	KAUFHOLZ, PAUL A. P.
	Examiner	Art Unit
	Donald L. Storm	2654
The MAILING DATE of this communication appearance All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communication IGHTS. This application is subject to a and MPEP 1308.	plication. If not included n will be mailed in due course. THIS to withdrawal from issue at the initiative
1. This communication is responsive to <u>AMENDMENT filed September 13, 2004 and November 25, 2005</u> .		
2. The allowed claim(s) is/are <u>1-4 and 6-11</u> .		
 Acknowledgment is made of a claim for foreign priority ur All b)	e been received. be been received in Application No cuments have been received in this of this communication to file a reply	national stage application from the
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give	itted. Note the attached EXAMINER	
 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. 		
Attachment(s) 1. ☑ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview Summary Paper No./Mail Da 8), 7. ☐ Examiner's Amend	ite
		Donald L. Storm Examiner AU 2654

APPLICATION/CONTROL NUMBER: 09/666,938

ART UNIT: 2654

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-4 and 6-11 are allowed. The claims have been renumbered for printing to be claims 1-4 and 5-10.

Response to Arguments

- 2. The prior Office action, mailed June 8, 2004, objects to the claims, and rejects claims under 35 USC § 103, citing Linder alone and with others. The Applicant's arguments and changes in AMENDMENT, filed November 25, 2005 with filing receipt dated September 13, 2004 and Certificate of Mailing of September 8, 2204, have been fully considered with the following results.
- 3. With respect to objection to those claims needing clarification, the changes entered by amendment provide clear descriptions of the claimed subject matter. Accordingly, the objection is removed.
- 4. With respect to rejection of claims 1 and 7, and by dependency claims 2, 3, 4, 6, and 8-10, under 35 USC §103, citing <u>Linder</u> alone and in combination, the changes entered by amendment include substantially sequential cancellation of at least two audio source signals from a received audio signal.

The Examiner agrees with the Applicant's assertions with respect to the references. The reference <u>Linder</u> does not explicitly describe that limitation. The whole structure and interaction expressed by the combination of all limitations is not described or made obvious compared to the prior art of record for the whole invention of the claims, particularly with the two audio source signals received by respective audio inputs and canceling leaves primarily speech. Accordingly, the rejections are removed.

5. With respect to rejection of claim 11, under 35 USC §103, citing Linder alone, among the changes entered by amendment are the audio signal including an indication of a highest signal source of speech and noise received by an audio input.

The Examiner agrees with the Applicant's assertions with respect to the references. The reference <u>Linder</u> does not explicitly describe that limitation. The whole structure and interaction expressed by the combination of all limitations is not described or made obvious compared to the prior art of record for the whole invention of the claims, particularly with the two audio source signals received by respective audio inputs and canceling signals from the received audio. Accordingly, the rejections are removed.

Conclusion

6. The following references here made of record are considered pertinent to applicant's disclosure:

Bourdelais [US Patent 6,058,075] describes successive cancellation of the strongest interfering signals received by the hydrophones of a sonar array.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Storm, of Art Unit 2654, whose telephone number is (571) 272-7614. The examiner can normally be reached on weekdays between 7:00 AM and 3:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see http://pair-direct.uspto.gov.

Donald L. Storm

Examiner, Art Unit 2654